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**State Government & Tribal  
Affairs Committee**

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**SHB 1734**

**Brief Description:** Recodifying campaign funding and disclosure laws.

**Sponsors:** House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Haigh, Chandler, McDermott, Hunt, Armstrong, Kretz and Ormsby).

**Brief Summary of Substitute Bill**

- Reorganizes and recodifies Chapter 42.17 RCW.

**Hearing Date:** 1/15/08

**Staff:** Marsha Reilly (786-7135).

**Background:**

Initiative 276, passed by the voters in 1972, established disclosure of campaign finances, lobbyist activities, financial affairs of elective officers and candidates, and access to public records. That initiative also created the Public Disclosure Commission (PDC), a five-member, bi-partisan citizen commission, to enforce the provisions of the campaign finance disclosure law.

In 1992 the Fair Campaign Practices Act was enacted following passage of Initiative 134. That initiative imposed campaign contribution limits on elections for statewide and legislative office, further regulated independent expenditures, restricted the use of public funds for political purposes, and required public officials to report gifts received in excess of \$50.

The initiatives resulted in three distinct subject areas: (1) disclosure of campaign related activities; (2) disclosure of public records held by public entities; and (3) campaign contribution limits for certain elected offices. The PDC administers disclosure of campaign related activities and campaign contribution limits. The Attorney General has enforcement authority over disclosure of public records held by public entities. However, because of the placement of the statutes in code, responsibility for enforcement of the public records disclosure statutes was not clear.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In 2005 the Legislature enacted SHB 1133 resulting in recodification of the public records portion of the Public Disclosure Act into a new chapter, Chapter 42.56 RCW. Also, in 2005 the staff of the House State Government Operations and Accountability Committee was directed to reorganize and update the remaining statutes in Chapter 42.17.

**Summary of Bill:**

Chapter 42.17 RCW is reorganized and language is clarified. Obsolete provisions relating to the information technology plan and electronic filing are removed. The provisions repealed in RCW 42.17.131, 42.17.362, 42.17.365, 42.17.375, 42.17.562, 42.17.620, and 42.17.647 have been included in other statutes. Statutes relating to the information technology plan are repealed; however, requirements pertaining to these provisions are duplicated in Chapter 43.105 RCW.

**2nd Substitute Compared to Substitute:**

The second substitute incorporates changes made in chapter 42.17 RCW as a result of bills passed during the 2007 legislative session. The definition of "person in interest" is moved from Chapter 42.17 RCW to Chapter 42.56 RCW as the term is applicable to the public records statutes. The contribution dollar amounts are updated to reflect the new effective date, and the effective date is changed from July 1, 2008, to July 1, 2009. Technical changes were made to clarify language.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on July 1, 2009.